IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 12293 of 2005

Between:

O. Venkateswarlu, S/o. anjaneyulu,
R/o. 40-243, Bangar Peta, Kurnool, Kurnool District.

..... PETITIONER

AND

1 The APSRTC, rep. by its Vice Chairman & M.D., Musheerabad,

Hyderabad,.
2 The APSRTC, rep. by its Regional Manager, Kurnool Region, at

Kurnool, Kurnool district.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the questioning the action of the 2nd respondent herein in deleting the name of the petitioner from the selection list on the allegation of not reporting for duty without issuing any notice or order, as illegal, unjust and arbitrary, contrary to the regulations of the corporation and as such liable to be set aside in the interest of justice with a consequential direction to reinstate the petitioner with all consequential benefits.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondents: MR.P.VINAYAKA SWAMY

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the respondent in deleting the name of the petitioner from the selection list, on the allegation of not reporting for duty, without issuing any notice or order as illegal, arbitrary and contrary to the regulations of the Corporation, and consequently direct the respondents to restore him to the same position as he was prior to the deletion.

2. According to the petitioner, he was selected as a Driver in the regular process of selection. However, after empanelling the drivers, they are being disengaged in the slack season. Similarly, when the petitioner was disengaged due to slack season, he went to his native place. However, on the ground that the petitioner did not attend for duties during the period of strike by the regular employees from 15-10-2001 to 07-11-2001, the petitioner's name was deleted from the selected list. Hence, the present writ petition.

3. At the time of hearing, it is represented that a similar issue was considered by this Court in W.P.No.19210 of 2004 dated 14-10-2004 and the writ petition was allowed directing the respondents to restore petitioner therein position to the same place. Following the same, this writ petition is allowed.

4. Accordingly, the Writ petition is allowed. No order as to costs.

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S.ANANDA REDDY, J

13th June, 2005

SKM

To

1 The Vice Chairman & M.D., APSRTC, Musheerabad,

Hyderabad,.

2 The Regional Manager, APSRTC, Kurnool Region, at

Kurnool, Kurnool district.

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